

REMARKS

In the Office Action dated March 5, 2008, the drawings were objected to because the Examiner stated the lead lines for reference numerals 11 and 6 were unclear as to which part they are intended to identify. A revised version of Figure 1 is submitted herewith on the Replacement Sheet attached hereto, wherein those lead lines have been clarified.

Claims 1-7 were rejected under 35 U.S.C. §102(b) as being anticipated by Taneya et al.

This rejection is respectively traversed for the following reasons.

As explicitly stated in the language of independent claims 1 and 5, those claims are directed to a coupling system and a coupling method, respectively, for producing a coupling between a gas bottle and a vaporizer, with valves respectively in each of the coupled parts including a spring-loaded valve body and a reactive body. The reactive body in one of the parts acts on the valve body of the other of the parts, and vice versa, in order to open the respective valves in the two parts. Seals are arranged in each part between the valve body and the reactive body in that part. The seals are arranged so as to be positioned between the two parts when the two parts are assembled, in order to prevent leaks. The arrangement of the valve bodies, the reactive bodies and the seals is very specifically set forth in each of independent claims 1 and 5.

The Taneya et al reference (nor any of the other references relied upon by the Examiner) does not disclose an arrangement for coupling a vaporizer and a gas bottle, as in the claims of the present application. Such a vaporizer is commonly used, for example, to deliver anesthetic, and therefore the risk of leakage of the

anesthetic upon being transferred from the gas bottle to the vaporize is not only generally undesirable, but can be dangerous to any personnel who are exposed to such a leak. Therefore, a particularly tight and reliable seal is needed for such a coupling. None of the other references are disclosed as being suitable for use in the context of a vaporizer, and therefore such strict requirements against leakage do not appear to be a factor in the structures disclosed in those references, including the Taneya et al reference, beyond the general desire to minimize leakage in any type of fluid connection.

The Taneya et al reference discloses a coupling between two valve parts in order to prevent leaks when the valve parts are disassembled from each other. In the Taneya et al reference, the seals are not arranged in a manner corresponding to the claimed subject matter. The seal 42 in the Taneya et al reference is located in one of the parts to be coupled, and will be positioned between the coupled parts when they are assembled with each other. The seal 42 is not arranged between the valve element and reactive element of the part with which it is associated, but instead is located at the front end of the valve body. The seal 124 on the other part never makes contact with the first part, even in the assembled configuration.

Therefore, the subject matter of original claim 1 was not disclosed in the Taneya et al reference.

As discussed below, the subject matter of claims 3 and 4 has now been embodied in each of independent claims 1 and 5. The Taneya et al reference was used as a basis for anticipating original claims 3 and 4 on the basis of the elements 20a and 120a. Nevertheless, as noted above the Taneya et al reference does not disclose the position of the seals as set forth in claims 1 and 5, and therefore the

Taneya et al reference does not anticipate amended claim 1 nor amended claim 7, nor any of the claims respectively depending therefrom.

Claims 1, 3 and 5-7 were rejected under 35 U.S.C. §102(b) as being anticipated by Tobiasz.

Since claim 4 was not among the claims rejected based on Tobiasz, and since the subject matter of claim 4 is now embodied in each of independent claims 1 and 5, this, by itself, is sufficient to overcome the anticipation rejection of claims 1 and 5 based on Tobiasz. In the event that the Examiner may still possibly consider combining the Tobiasz reference with some other reference, however, the disclosure of the Tobiasz reference will be briefly discussed.

The Tobiasz reference discloses a coupling sleeve that receives the ends of two tubes that are to be joined in a hydraulic system. The sleeve is assembled before the ends of the tubes are inserted therein. therefore, the problem of leakage at the assembly "seam" never occurs. Moreover, the Tobiasz structure does not relate to a coupling between two parts that are analogous to a gas bottle and a vaporizer, as explicitly set forth in the original language of claims 1 and 5. The Tobiasz structure would not even be suitable for that purpose, since the intermediate part thereof is used for the connection. Moreover, the seals are not arranged as set forth in claims 1 and 5, particularly when all of the components in the Tobiasz reference are assembled. Moreover, the Tobiasz reference does not specifically refer to a "valve" although some of the components may possible perform functions resembling the functions of a valve. In particular, the part designated with reference numeral 7, relied upon by the Examiner as being a valve body, is actually only a metal part that prevents the coil 8 from becoming embedded in the seal 6. Applicant

recognizes that in order to substantiate an anticipation rejection, it is only necessary that comparable structure be present in the allegedly anticipating reference. Nevertheless, it is still not permissible for the Examiner to arbitrarily assign names to parts in a reference that do not conform to the actual function performed by those parts. The nomenclature used to substantiate an anticipation rejection must still at least be reasonable to those of ordinary skill in the field of the reference. A person of ordinary skill would never refer to the component 7 in the Tobiasz reference as a "valve body," and Applicant respectfully submits that the Examiner has done so solely for the purpose of forcing the Tobiasz reference to allegedly correspond to the subject matter of the claims of the present application.

Claims 1, 2 and 4-7 were rejected under 35 U.S.C. §102(b) as being anticipated by Miyazaki et al. Since the subject matter of claim 3 is now embodied in each of claims 1 and 5, and since the Miyazaki et al reference was not relied upon as a basis for rejecting claim 3, the inclusion of the subject matter of claim 3 in claims 1 and 5, by itself, is sufficient to overcome this rejection. Nevertheless, for the same reasons justifying a discussion of the Tobiasz reference, Applicant will discuss the basic content of the Miyazaki reference.

The Miyazaki reference discloses a coupling for joining two parts in a pneumatic conditioning system. One purpose may be to prevent leaks at the assembly, as described at column 2, lines 29-31. The Miyazaki reference discloses a spring-loaded valve body and a reactive body that interacts with the valve body during assembly. A packing layer is arranged at least partially between the valve body and the reactive body in one part, so that it will be positioned between the two parts when assembled.

The seal 64 in the Miyazaki reference is arranged to seal the passage between the valve body and the housing of the part in which it is located, but this seal 64 never makes any contact with the reactive element of that part, nor any contact with the other part. This is another reason why the Miyazaki reference does not anticipate the subject matter of independent claims 1 and 5. Moreover, changing the location of the seal 64 in the Miyazaki reference in order to place that seal at a location conforming to the location that is explicitly set forth in claims 1 and 5 would be a substantial re-design of the Miyazaki et al structure rather than a mere modification thereof. Moreover, there is no teaching or suggestion to undertake such a redesign.

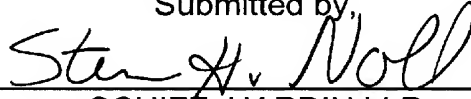
Additionally, the Miyazaki reference discloses a threaded pipe coupling, which would be completely unsuitable for transferring gas from a gas bottle to a vaporizer, since the assembly disassembly of threaded parts are time consuming, providing too much of an opportunity for leakages. Even further modifications to the Miyazaki et al reference would have to be made in order to make the structure disclosed therein even a “candidate” for use in a vaporizer system.

Applicant submits there is no basis to propose a modification of either the Tobiasz or Miyazaki et al reference in accordance with that portion of the teachings of the Taneya reference that the Examiner considers to be relevant to original claim 3 or claim 4. To do so would simply be extracting an extremely limited portion of the overall teachings of the Taneya et al reference for alleged inclusion in the structures of the other references. There is no teaching or suggestion to undertake such a specific modification, and there is no indication that undertaking such a modification would achieve any particular advantages in the other references.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Submitted by,



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